

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JUNE HAWKINS-KIMMEL, and
RICHARD HAWKINS-KIMMEL,

Plaintiffs,

No. 03:14-cv-00529-PK

v.

ANDREW HAWKINS-KIMMEL, and
M&A WEALTH MANAGEMENT, INC., a
Colorado Corporation,

ORDER

Defendants.

HERNANDEZ, District Judge:

Magistrate Judge Papak issued a Findings and Recommendation (#33) on May 13, 2015, in which he recommends that this Court deny Defendants' motion to dismiss. Defendants have timely filed objections to the Findings & Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the

Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

I have carefully considered Defendants' objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no other errors in the Magistrate Judge's Findings & Recommendation.

CONCLUSION

The Court ADOPTS Magistrate Judge Papak's Findings & Recommendation [33].

Accordingly, Defendants' motion to dismiss [27] is denied

IT IS SO ORDERED.

DATED this 29 day of June, 2015.

Marco Hernandez
MARCO A. HERNANDEZ
United States District Judge